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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 01-179)

In the Application of:

Rowe et al.

Serial No.: 09/786,253

Filing Date: August 15, 2001

For: Control of Acidosis

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Examiner: V. Portner

Group Art Unit: 1645

Confirmation No.: 7071

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:

- a) Information Disclosure Statement;
- b) PTO Form 1449 and 10 references cited therein; and
- c) return receipt postcard.

2. With respect to fees:

- a) A fee is not required at this time.
- b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 10, 2005.

Respectfully submitted,



Michael S. Greenfield
Registration No. 37,142

Date: February 10, 2005



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(Case No. 01-179)

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INFORMATION DISCLOSURE STATEMENT

Honorable Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99; the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the cited references are enclosed. These references are also listed on the enclosed PTO Form 1449.

Also, attached to each reference in a language other than English is a translation or an explanation of the relevance in accordance with 37 C.F.R. § 1.98 (a) (3). For Information Disclosure Statements submitted after receipt of a foreign Search Report, a copy of such Search Report is attached.

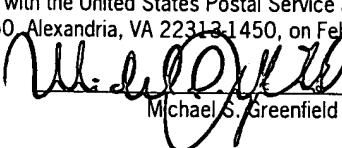
This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

The documents cited herein were all cited in the International Search Report of the international application of which the present application is the US national phase. Accordingly, each of the

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 10, 2005.

Date: February 10, 2005


Michael S. Greenfield

documents cited herein should have been previously considered, and the applicants merely request the Examiner to indicate so on the enclosed Form 1449. In view of the foregoing, the applicants believe no fee is due, but if this belief is incorrect the PTO is authorized to charge all required fees to Deposit Account No. 13-2490.

FOREIGN PATENT DOCUMENTS

1. International Patent No. WO 96 28177, published September 19, 1996
2. International Patent No. WO 99 20739, published April 29, 1999

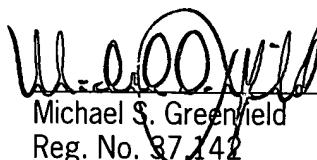
OTHER DOCUMENTS

3. Genbank Accession No. AB002514 *Streptococcus equines* DNA for 16S rRNA, strain NCTC 9814 13 February 1999.
4. Genbank Accession No. AF104109 *Streptococcus bovis* strain JB1 16s ribosomal RNA gene, partial sequence 28 February 1999.
5. Genbank Accession No. AB009188 Unidentified rumen bacterium RFN3 gene for 16S ribosomal RNA, partial sequence 18 December 1997.
6. J. Dairy Science 79(8), pages 1467-75 (1996) Drause, dO and Russell, JB "How many ruminal bacteria are there?"
7. Genbank Accession No. M58835 *Streptococcus bovis* 16S ribosomal RNA 27 April 1993.
8. Genbank Accession No. M62702 *Selenomonas ruminantium* (strain GA192) 16S ribosomal RNA 30 June 1993.
9. Appl. Environ. Microbiol. 53(7), pages 1620-5 (1987) Nagaraja, T.G. and Taylor, M.B. "Susceptibility and resistance of ruminal bacterial to antimicrobial feed additives."
10. Appl. Environ. Microbiol. 54(12), pages 2981-5 (1988) Newbold, C.J. and Wallace, R.J. "Effects of the ionophores monensin and tetravasin on simulated development of ruminal lactic acidosis in vitro."

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Date: February 10, 2005

By:



Michael S. Greenfield
Reg. No. 87142

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FORM PTO-1449
(Rev. 2-32)



**U.S. Department of Commerce
Patent and Trademark Office**

Atty. Docket No.

01-1709

Serial No.

09/786,253

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use several sheets if necessary)

Applicant:

Rowe et al.

Filing Date:

August 15, 2001

Group:

1645

U.S. PATENT DOCUMENTS

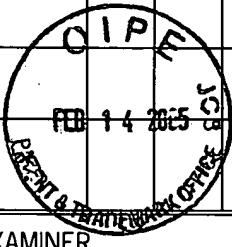
Examiner Initial		Document Number	Date	Name	Class	Subclas s	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
		WO 96 28177	09/19/1996					
		WO 99 20739	04/29/1999				X	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.).

		Genbank Accession No. AB002514 <i>Streptococcus equinus</i> DNA for 16S rRNA, strain NCTC 9814 13 February 1999.
		Genbank Accession No. AF104109 <i>Streptococcus bovis</i> strain JB1 16s ribosomal RNA gene, partial sequence 28 February 1999.
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	Environ. Microbiol. 54(12), pages 2981-5 (1988) Newbold, C.J. and Wallace, R.J. "Effects of the ionophores monensin and tetravasin on simulated development of ruminal lactic acidosis in vitro."
EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.